

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

YOUNG CONSERVATIVES OF  
TEXAS FOUNDATION

v.

THE UNIVERSITY OF NORTH  
TEXAS, ET AL.

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CIVIL NO. 4:20-CV-973-SDJ

**FINAL JUDGMENT**

This matter was before the Court on Plaintiff Young Conservatives of Texas Foundation's ("Young Conservatives") motion for summary judgment, (Dkt. #6), and the cross-motion for summary judgment filed by Defendants the University of North Texas; the University of North Texas System; Neal Smatresk, in his official capacity as the University's president; and Shannon Goodman, in his official capacity as the University's Vice President for Enrollment, (Dkt. #52). Young Conservatives' summary-judgment motion sought entry of a declaratory judgment and a permanent injunction against Defendants. To the extent Young Conservatives sought summary judgment against the University of North Texas and the University of North Texas System, the Court denied Young Conservatives' motion and granted summary judgment in favor of the University of North Texas and the University of North Texas System. (Dkt. #64). But the Court granted summary judgment in favor of Young Conservatives on its preemption claim against Smatresk and Goodman. (Dkt. #64).

It is therefore **ORDERED, ADJUDGED, and DECREED** as follows:

1. All claims asserted in this action against the University of North Texas and the University of North Texas System are **DISMISSED WITH PREJUDICE**.

2. The Court hereby **DECLARES** that Section 54.051(d) of the Texas Education Code, as applied to United States citizens at the University of North Texas, is preempted by Section 1623(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. § 1623(a), and is thus in violation of the United States Constitution. *See* 28 U.S.C. § 2201(a); FED. R. CIV. P. 57. Defendants Neal Smatresk and Shannon Goodman are therefore immediately and permanently **ENJOINED** from applying the tuition rates prescribed by Section 54.051(d) of the Texas Education Code to United States citizens at the University of North Texas. *See* FED. R. CIV. P. 65.

3. Neither Neal Smatresk nor Shannon Goodman, nor any officer, agent, servant, employee, attorney, or other person in active concert with Neal Smatresk or Shannon Goodman, may enforce the tuition rates prescribed by Section 54.051(d) of the Texas Education Code against United States citizens at the University of North Texas.


4. Nothing in this Final Judgment shall be construed to preclude Young Conservatives from enforcing this Final Judgment in the event that Neal Smatresk or Shannon Goodman fails to adhere to the orders contained herein. Young Conservatives shall be authorized to seek compliance with the Final Judgment through civil action in the United States District Court.

5. Each party shall bear its own costs, including attorney's fees incurred in this action.

6. All relief not expressly granted herein is **DENIED**.

7. The Clerk is directed to **CLOSE** this civil case.

**So ORDERED and SIGNED this 8th day of April, 2022.**



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SEAN D. JORDAN  
UNITED STATES DISTRICT JUDGE